
Appeal Decision

Site visit made on 3 July 2017

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 August 2017

Appeal Ref: APP/F0114/W/17/3171658

121 Mount Road, Southdown, Bath BA2 1NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Gary against the decision of Bath & North East Somerset Council.
 - The application Ref 16/02429/FUL, dated 16 May 2016, was refused by notice dated 15 February 2017.
 - The development proposed is the division of the existing dwelling into 2 apartments and the erection of a two storey side extension to form a three bedroomed house.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I have taken the spelling of the appellant's surname from the application form, rather than from the appeal form.
3. Whilst the Council's decision refers to, amongst other drawings, nos. 205 Rev D and 204, the appellant's letter dated 28 June 2017 states that those references should have been to drawing nos. 205 Rev E and 204 Rev A, which were submitted during the application's consideration by the Council. In emails dated 4 and 5 July 2017 the Council agrees that those drawings were submitted prior to its decision. Consequently, my decision is also based upon those later revisions.
4. As the scheme was significantly amended during its consideration by the Council, I have taken the scheme's description from part E of the appeal form, rather than from the application form. That description matches the one on the decision notice.
5. On 13 July 2017 the Council adopted the Bath and North East Somerset Placemaking Plan District-wide Strategy and Policies ('PP'). Consequently Policies D.2, D.4, T.1 and T.24 of the Bath and North East Somerset Local Plan including Minerals and Waste Policies 2007, which were referred to in its decision, have been replaced. I have therefore had no further regard to them in my decision. However, in accordance with an email from the Council dated 25 July 2017 and a letter from bba architects and planners dated 31 July 2017, I have considered the scheme against relevant PP policies.
6. In its 25 July email the Council refers to PP Policy LCR3A. That policy sets out that residential development will only be acceptable where there is adequate capacity within nearby village primary schools. However, even if that policy is

applicable in this location, I have no evidence to demonstrate that there is a capacity issue here. I have therefore not considered that matter any further.

Main Issues

7. The main issues are the effect of the proposed development on:
- The character and appearance of the host property and the area; and
 - The safety and convenience of highway users, with particular regard to whether or not there would be a suitable pedestrian link for the occupants of No. 121 Mount Road to the parking area.

Reasons

Character and appearance

8. No. 121 Mount Road occupies a prominent and unusual location with a parking area to one side, and a garden to the other, which tapers in width to the road junction with The Hollow. In the immediate area the buildings display some variety in terms of their style, form and appearance. The predominantly single storey dwellings on the opposite side of The Hollow are set well back from, and elevated above, the road. Elsewhere the buildings are typically two storeys high, and are sited closer to the highway.
9. The proposed two storey side extension would be largely finished in materials to match the appearance of those in the host building. Its front and rear faces would be slightly set in from the host, thus providing some articulation, and its ridge would step down reflecting the local topography. It would broadly align with the front and rear building lines created by the buildings to the south.
10. However, in following the building lines, the northern corner of the side extension, and the front-projecting western gable would be sited very close to the edge of the site, with very little set back from The Hollow. Located so close to the pavement that would give the scheme a domineering mass and bulk. Although its height would respect the height of nearby two storey dwellings, in this prominent location it would appear cramped, and it would jar with the siting of nearby properties which are generally set further back from the road.
11. The Council is also critical of the side extension's shallower roof pitch compared to the host. However, given the perspective approaching the site from lower land to the north, that difference would not be prominent in the streetscene. The scheme's articulation and lower height would make it appear suitably subservient to the host, and its northern face would include appropriate design detailing such as windows, lintels and quoins.
12. The appellant has provided evidence at paragraph 4.15 of his Statement to show that the plot coverage of the new development here would be comparable to No. 121 and Nos. 127 to 133 Mount Road. However, as it is this scheme's siting relative to the highway which would cause an overbearing and cramped appearance, those figures do not change my findings.
13. Consequently, although the scheme would have an appropriate relationship with the host property, it would harm the character and appearance of the immediate area. It would therefore conflict with those parts of PP Policy D2 which require development to respond positively to, and not to harm, local character, and to respond to its context with regard to matters including spacing and set-back.

14. Although the Council's decision refers to PP Policy D5, as this scheme would include appropriate articulation, would maintain the building line, and its detailed design would broadly complement the host building, it would not conflict with that policy. Finally, the Council's decision also refers to PP Policy HE1 which seeks to safeguard heritage assets. However, whilst the site is within the Bath World Heritage Site and Hot Springs Area, that designation covers a very wide area, and the Council's decision and delegated report do not allege harm to that, or any other, heritage asset. I have no reason to disagree, and that policy appears to be of limited relevance here.

Highway safety

15. The Council states that to access their designated parking space adjacent to Mount Road from the front entry on The Hollow, the future occupants of No. 121 would need to walk around the edge of the site partly on the carriageway, where there is restricted visibility, to the detriment of road safety.
16. However, as pointed out by the appellant, there is a direct access to that parking space crossing a private amenity area from the rear living room and bedroom doors of that unit. That is depicted on drawing nos. 205 Rev E and 210 Rev E. Consequently, I am satisfied that there would be a suitable and safe pedestrian link between that property and its parking space.
17. Given the sustainability of the location, and the provision of cycle parking, I agree with the Council and Highway Officer that the parking proposed would be satisfactory, and that the scheme, including the creation of one off road parking space parallel to Mount Road, would not have a significant adverse impact on vehicular manoeuvres or on the availability of roadside parking. The scheme would not therefore conflict with the requirements for safe and convenient access in PP Policy ST7.

Other matters

18. There were discussions with the Council during its consideration of the scheme, which resulted in various amendments. However, I have dealt with the proposal before me on its merits. In its favour, it would include the renovation of the existing property, and would make use of an awkward parcel of land, to make a modest contribution to the supply of housing. That in a sustainable location. In those regards it would comply with various development plan policies and objectives in the National Planning Policy Framework ('Framework').

Conclusions

19. Whilst the scheme would make suitable provision for safe and convenient access, and would not harm the safety and convenience of highway users, it would harm the character and appearance of the area. The scheme's limited public benefits would not outweigh that harm. The proposal would conflict with the development plan when considered as a whole, and, given the environmental harm it would cause, it would not benefit from the Framework's presumption in favour of sustainable development. Having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR